THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.26602 of 2005

Date:02.01.2006

Between:

J.L.Reddy

-------PETITIONER

AND

The Managing Director and others.

---------RESPONDENTS

ORDER:

The petitioner was appointed as an agent by the respondents herein for supply of milk in Wanaparthy town in the year 1999. He states that though he has been functioning as agent according to the relevant terms and conditions, the respondents have stopped supplying of milk with effect from July, 2005. He claims to have made a representation, dated 05.04.2004. This writ petition is filed seeking a declaration that the inaction of the respondents in disposing of the representation is illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

Through his proceedings, dated 12.01.1999, the second respondent appointed the petitioner and six others as agents for sale of milk at Wanaparthy, Nagar Kurnool, Pebbair and Kothakota. The arrangement is said to be purely temporary and liable to be terminated without assigning any reasons.

The learned standing counsel for the respondents, on instructions, submits that the petitioner was not regular in supply of milk and that he committed default in payment of the cost of the milk.

The petitioner complains that the milk supply has been stopped with effect from July, 2005 without passing any written orders. At any rate, the petitioner submitted a representation, dated 05.04.2004, to the second respondent, narrating various circumstances. Inasmuch as no written orders have been passed before stopping the milk to the petitioner for supply, the second respondent ought to have disposed of the representation of the petitioner, duly communicating the reasons for stoppage of the supply.

Hence, the writ petition is disposed of, directing the second respondent to pass appropriate orders on the representation, dated 05.04.2004, submitted by the petitioner, within one month from the date of receipt of a copy of this order. There shall be no order as to costs.

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02.01.2006

kdl